

Express Mail Label No.: EV 392155070 US
Date of Deposit: May 24, 2004

05/26/04

IFW

Attorney Docket No.: 25452-016

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



APPLICANT : Therrien, et al.
SPECIAL NUMBER : 10/659,128 EXAMINER : Not Yet Assigned
FILING DATE : September 10, 2003 ART UNIT : 2133
FOR : METHOD AND APPARATUS FOR MANAGING DATA INTEGRITY OF
BACKUP AND DISASTER RECOVERY DATA

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages), in duplicate;
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copies of Cited References: A1-3; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 25452-016. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "C. Eric Schulman".

C. Eric Schulman, Esq., Reg. No. 43,350

Attorney(s) for Applicants

MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.

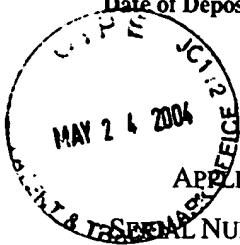
Address all written correspondence to

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Date: May 24, 2004



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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant hereby makes of record the documents listed on the attached modified Form PTO-1449.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action based on the merits in the above-identified case. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Therrien, et al.
U.S.S.N.: 10/659,128

Notwithstanding any statements by the Applicant, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 25452-016.

Respectfully submitted,



C. Eric Schulman, Esq., Reg. No. 43,350
Attorney(s) for Applicants

MINTZ, LEVIN, COHN, FERRIS,
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Attorney Docket No.: 25452-016



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Modified Form 1449/PTO		Application Number	10/659,128
		Filing Date	September 10, 2003
INFORMATION DISCLOSURE		First Named Inventor	Therrien
STATEMENT BY APPLICANT		Group Art Unit	2133
(use as many sheets as necessary)		Examiner Name	Not Yet Assigned
		Attorney Docket Number	25452-016

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
A1	5,852,713	12/22/98	Shannon	395	182.04		
A2	6,088,694	07/11/00	Burns, et al.	707	8		
A3	6,393,516 B2	05/21/02	Johnson	711	111		

U.S. PUBLISHED APPLICATION DOCUMENTS

Exam Initials	Cite No.	U.S. Published Application No.	Published Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	Translation Yes No

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.

A copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

TRA 1921657v1